

## **REMARKS**

### **Amendments**

Claims 51 is amended to depend from claim 1, and claim 52 is amended to depend from claim 51. Similarly, claim 57 is amended to depend from claim 20, and claim 58 is amended to depend from claim 57.

### **Rejection under 35 USC 112, second paragraph**

Claims 1-9, 11-17, 19-29, 31-40, 47, 48, 50-54, and 56-62 are rejected as allegedly being indefinite. Applicants respectfully traverse this rejection.

First, the Examiner argues that the phrase “optionally contain one or more hetero atoms” is indefinite because Figure 1 shows chains containing at least one hetero atom. Figure 1 illustrates a species of the claimed conjugates, namely the conjugate of Example 2. See page 16, line 21. Figure 1 does not illustrate the entire claimed genus. The rejection fails to explain how the illustration of a species in Figure 1 somehow renders the claim language describing a genus indefinite. In any event, the language of the claims is sufficiently clear such that one of ordinary skill in the art can readily determine within a give embodiment is within or outside the literal scope of the claim. Nothing more is required under the statute.

Moreover, as discussed in the Supplemental Reply filed November 20, 2006, the term “optionally” is not indefinite. See, e.g., *Ex Parte Cordova*, 10 USPQ2d 1949, 1950 (POBA 1989) [“It is our opinion that the use of the alternative expression ‘optionally’ in the rejected claims does not obfuscate the subject matter appellants regard as their invention.”] and *Ex Parte Wu*, 10 USPQ2d 2031, 2032 (POBA 1989) [“We therefore do not consider the claims to be indefinite as a result of the claimed optional component.”]

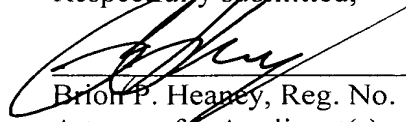
The Examiner also objects to the phrase “optionally interrupted.” This language was deleted from the claims in the Supplemental Reply filed November 20, 2006.

Finally, the Examiner points out that claims 51, 52, 57, and 58 each depend from a cancelled claim. The dependencies of claims 51, 52, 57, and 58 are corrected by the above amendments.

In view of the above remarks, withdrawal of the rejection and allowance of the instant application is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
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